

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENTUCKY	)	
POWER COMPANY FOR APPROVAL OF	)	CASE NO.
AFFILIATE AGREEMENTS RELATED TO THE	)	2021-00421
MITCHELL GENERATING STATION	)	

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO  
THE ATTORNEY GENERAL OF THE COMMONWEALTH OF KENTUCKY, BY AND  
THROUGH THE OFFICE OF RATE INTERVENTION, AND  
KENTUCKY INDUSTRIAL UTILITY CUSTOMERS, INC.

The Attorney General of the Commonwealth of Kentucky, by and through the Office of Rate Intervention (Attorney General), and Kentucky Industrial Utility Customers, Inc. (KIUC) (jointly, Attorney General/KIUC), pursuant to 807 KAR 5:001, are to file with the Commission an electronic version of the following information. The information requested is due on February 4, 2022. The Commission directs the Attorney General/KIUC to the Commission's July 22, 2021 Order in Case No. 2020-00085<sup>1</sup> regarding filings with the Commission. Electronic documents shall be in portable document format (PDF), shall be searchable, and shall be appropriately bookmarked.

Each response shall include the question to which the response is made and shall include the name of the witness responsible for responding to the questions related to the information provided. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a

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<sup>1</sup> Case No. 2020-00085, *Electronic Emergency Docket Related to the Novel Coronavirus COVID-19* (Ky. PSC July 22, 2021), Order (in which the Commission ordered that for case filings made on and after March 16, 2020, filers are NOT required to file the original physical copies of the filings required by 807 KAR 5:001, Section 8).

governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

The Attorney General/KIUC shall make timely amendment to any prior response if the Attorney General/KIUC obtain information that indicate the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which the Attorney General/KIUC fail or refuse to furnish all or part of the requested information, the Attorney General/KIUC shall provide a written explanation of the specific grounds for its failures to completely and precisely respond.

Careful attention shall be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request. When applicable, the requested information shall be separately provided for total company operations and jurisdictional operations. When filing a paper containing personal information, the Attorney General/KIUC shall, in accordance with 807 KAR 5:001, Section 4(10), encrypt or redact the paper so that personal information cannot be read.

1. Refer to the Direct Testimony of Lane Kollen (Kollen Testimony), page 8, lines 15–18. Explain why the Mitchell Generating Station (Mitchell) would qualify as a product under KRS 278.2207.

2. Refer to the Kollen Testimony, page 9, line 11. Explain why fair market valuation is “inherently biased toward a low valuation.”

3. Refer to the Kollen Testimony, page 19, line 23, through page 20, line 1. Confirm that Kentucky Power Company (Kentucky Power) could contribute and transfer its Mitchell assets and liabilities into a separate entity and sell that entity to Wheeling Power Company (Wheeling Power) if they are no longer affiliates at the time of the transaction.

4. Refer to the Kollen Testimony, page 29, lines 16–21. Explain how the allocation of costs between Kentucky Power and Wheeling Power would be determined.

5. Refer to the Kollen Testimony, page 31, lines 1–9. Confirm that all assets, including inventories, other than coal inventory would be included in the net book value or fair market value of Mitchell. If this cannot be confirmed, explain why these non-coal inventories would not be included.



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DATED JAN 27 2022

cc: Parties of Record

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